

Statement of Defense Form

Enforcement Case ER2020.017.00

LEE GREENBERG; "RESPONDENT"

FAILURE (1) TO COMPLETE THIS FORM, (2) TO INCLUDE WITH THE COMPLETED FORM ALL DOCUMENTS, DECLARATIONS UNDER PENALTY OF PERJURY, AND OTHER EVIDENCE YOU WANT PLACED IN THE RECORD AND TO BE CONSIDERED BY THE COMMISSION, (3) TO LIST ANY WITNESSES WHOSE DECLARATION IS PART OF THE STAFF'S CASE AS IDENTIFIED IN THE VIOLATION REPORT THAT YOU WISH TO CROSS-EXAMINE, THE AREA OF KNOWLEDGE ABOUT WHICH YOU WANT TO CROSS-EXAMINE THE WITNESS, AND THE INFORMATION YOU HOPE TO ELICIT BY CROSS-EXAMINATION, AND (4) TO RETURN THE COMPLETED FORM AND ALL INCLUDED MATERIALS TO THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION STAFF OR TO CONTACT **MATTHEW TRUJILLO OR BRENT PLATER** OF THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION ENFORCEMENT STAFF BY **MAY 18, 2022** MEANS THAT THE COMMISSION CAN REFUSE TO CONSIDER SUCH STATEMENTS AND EVIDENCE WHEN THE COMMISSION HEARS THIS MATTER.

DEPENDING ON THE OUTCOME OF FURTHER DISCUSSIONS THAT OCCUR WITH THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION ENFORCEMENT STAFF AFTER YOU HAVE COMPLETED AND RETURNED THIS FORM, ADMINISTRATIVE OR LEGAL ENFORCEMENT PROCEEDINGS MAY NEVERTHELESS BE INITIATED AGAINST YOU, IF THAT OCCURS, ANY STATEMENTS THAT YOU MAKE ON THIS FORM WILL BECOME PART OF THE ENFORCEMENT RECORD AND MAY BE USED AGAINST YOU.

YOU MAY WISH TO CONSULT WITH OR RETAIN AN ATTORNEY BEFORE YOU COMPLETE THIS FORM OR OTHERWISE CONTACT THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION ENFORCEMENT STAFF.

This form is enclosed with a violation report. The violation report indicates that you may be responsible for or in some way involved in either a violation of the Commission's laws, a Commission permit, or a Commission cease and desist order. The violation report summarizes what the possible violation involves, who may be responsible for it, where and when it occurred, if the Commission staff is proposing any civil penalty and, if so, how much, and other pertinent information concerning the possible violation.

This form requires you to respond to the alleged facts contained in the violation report, to raise any affirmative defenses that you believe apply, to request any cross-examination that you believe necessary, and to inform the staff of all facts that you believe may exonerate you of any legal responsibility for the possible violation or may mitigate your responsibility. This form also requires you to enclose with the completed statement of defense form copies of all written documents, such as letters, photographs, maps drawings, etc. and written declarations under penalty of perjury that you want the Commission to consider as part of this enforcement hearing. This form also requires you to identify by name any person whom you may want to cross-examine prior to the enforcement hearing on this matter, the area of knowledge that you want to cover in the cross-examination, the nature of the testimony that you hope to elicit, and the reasons that you believe other means of producing this evidence are unsatisfactory. Finally, if the staff is only proposing a civil penalty, i.e., no issuance of either a cease or desist order or a permit revocation order, this form allows you alternatively to pay the proposed fine without contesting the matter subject to ratification of the amount by the Commission.

IF YOU WANT TO CROSS-EXAMINE ANY PERSON ON WHOSE TESTIMONY THE STAFF HAS RELIED IN THE VIOLATION REPORT, YOU MUST COMPLETE PARAGRAPH SEVEN TO THIS STATEMENT OF DEFENSE FORM. THIS PARAGRAPH REQUIRES YOU TO SET OUT (1) THE NAME(S) OF THE PERSON(S) YOU WANT TO CROSS-EXAMINE, (2) REFERENCES TO ANY DOCUMENTS ABOUT WHICH YOU WANT TO CROSS-EXAMINE THE PERSON, (3) THE AREA OF KNOWLEDGE ABOUT WHICH YOU WANT TO CROSS-EXAMINE THE PERSON, (4) THE INFORMATION THAT YOU BELIEVE CAN BE ELICITED BY CROSS-EXAMINATION, AND (5) THE REASON WHY YOU BELIEVE THIS INFORMATION CANNOT BE PRESENTED BY DECLARATION OR OTHER DOCUMENT.

You should complete the form as fully and accurately as you can as quickly as you can and return it no later than 35 days after its having been mailed to you to the Commission's enforcement staff at the address:

**San Francisco Bay Conservation and Development Commission
375 Beale Street, Suite 510
San Francisco, California 94105**

The forms should also be emailed to Margie Malan at margie.malan@bcd.ca.gov.

If you believe that you have good cause for not being able to complete this form within 35 days of its having been mailed, please complete it to the extent that you can and within 35 days of the mailing of the violation report send the statement of defense form completed as much as possible with a written explanation of what additional information you need to complete the form in its entirety, how long it will take to obtain the additional information needed to complete the form, and why it will take longer than 35 days to obtain the additional information, send all of this to the Commission's staff at the above address. Following this procedure does not mean that the Executive Director will automatically allow you to take the additional time to complete the form. Only if the Executive Director determines that you have shown good cause for the delay and have otherwise complete the form as much as is currently possible will be grant an extension to complete the form.

If the staff violation report that accompanied this statement of defense form included a proposed civil penalty, you may, if you wish, resolve the civil penalty aspect of the alleged violation by simply providing to the staff a certified cashier's check in the amount of the proposed fine within the 35-day time period. If you choose to follow this alternative, the Executive Director will cash your check and place a brief summary of the violation and proposed penalty along with a notation that you are choosing to pay the penalty rather than contesting it on an administrative permit listing. If no Commissioner objects to the amount of the penalty, your payment will resolve the civil penalty portion of the alleged violation. If a Commissioner objects to the proposed payment of the penalty, the Commission shall determine by a majority of those present and voting whether to let the proposed penalty stand. If such a majority votes to let the proposed penalty stand, your payment will resolve the civil penalty portion of the alleged violation. If such a majority does not let the proposed penalty stand, the Commission shall direct the staff to return the money paid to you and shall direct you to file your completed statement of defense form and all supporting documents within 35 days of the Commission's action. Of course, you also have the opportunity of contesting the fine from the outset by completing this form and filing it and all supporting documents within 35 days of its having been mailed to you.

If you have any questions, please contact as soon as possible **MATTHEW TRUJILLO** or **BRENT PLATER** of the Commission Enforcement Staff at telephone number **415-352-3633** or **415-352-3628**.

1. Facts or allegations contained in the violation report that you admit (with specific reference to the paragraph number in the violation report):

2. Facts or allegations contained in the violation report that you deny (with specific reference to paragraph number in the violation report):

3. Facts or allegations contained in the violation report of which you have no personal knowledge (with specific reference to paragraph number in the violation report):

4. Other facts which may exonerate or mitigate your possible responsibility or otherwise explain your relationship to the possible violation (be as specific as you can; if you have or know of any documents, photographs, maps, letters, or other evidence that you believe are relevant, please identify it by name, date, type, and any other identifying information and provide the original or a copy if you can):

5. Any other information, statement, etc. that you want to make:

6. Documents, exhibits, declarations under penalty of perjury or other materials that you have attached to this statement to support your answers or that you want to be made part of the administrative record for this enforcement proceeding (Please list in chronological order by date, author, title and enclose a copy with this completed form):

7. Name of any person whose declaration under penalty of perjury was listed in the violation report as being part of the staff's case who the respondent wants to cross-examine, all documents about which you want to cross-examine the person, area or areas of information about which the respondent wants to cross-examine the witness, information that the respondent hopes to elicit in cross-examination, and the reason(s) why some other method of proving this information is unsatisfactory:

**SAN FRANCISCO BAY CONSERVATION
DEVELOPMENT COMMISSION**

BCDC CASE NO: ER2020 017 00

IN RE: LEE GREENBERG

May 18, 2022

**Notice of Violation of the McAteer-Petris Act and Suisun
Marsh Preservation Act: Unauthorized in BCDC's San
Francisco Bay Shoreline Band, and Suisun Marsh Primary
Management Area Jurisdiction**

Response

Due: May 16, 2022

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

**Notice of Violation of the McAteer-Petria Act and Suisun
Marsh Preservation Act: Unauthorized Activity in
BCDC's San Francisco Bay; Shoreline Band and Suisun
Marsh Primary Management Area Jurisdiction**

BCDC CASE NUMBER: ER2020.017.00

**ENFORCEMENT COMMITTEE HEARING DATE
JUNE 09, 2022**

STATEMENT OF DEFENSE
Enforcement Case ER2020.017.00

LEE GREENBERG, "RESPONDENT"

1. Facts or allegations contained in the violation report that you admit (with specific reference to the paragraph number in the violation report).

Page	Paragraph	Issue	Defense
3	B.3.	6-25gal cylinders and 20 5-8 gal cylinders of propane	All are empty, out dated and cannot be refilled. They will be disposed of collectively with other hazmats.
3	B.3.	15 welding tanks, oxygen, acetylene, carbon dioxide, argon	Empty tanks have been returned to East bay welding and others have been secured with caps and placed in welding carts, with chains or secured in container with safety chains around them.
3	B.3.	2 600 gal capacity diesel tanks	One is empty and the other is in use and within a cement containment area.
3	B.3.	Household material	Liquids, Paints, Solvents have been collected and will be taken to the hazardous waste recycle facility
3	B.3.	Vegetable Oil in containers	Owner picked them up and are no longer on the property.
3	B.3.	30 55 gal drums, plastic	All are clean and empty and waiting for pickup by owner (Scott Diamond).
3	E.4.	500 gl propane tank	Tank was at one time used for the restaurant and was removed when property was bought. It is empty and without a valve and cannot be refilled. It will be disposed of collectively with other hazmats.

2. Facts or allegations contained in the violation report that you deny (with specific reference to paragraph number in the violation report).

2	A.1.	Placement of launch ramp	The launch ramp shown in Exhibit 1 has existed prior to the purchase of the property, certainly in excess of 40yrs. Existence of launch ramp was acknowledged in BCDC's permit of 1995 to the Shraders for necessary repairs. Exhibit A
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3	A.2.	Renting of berthing space	To the best of my knowledge Former harbormaster Scott Diamond had rented space to one Henri Wolf for berthing only, however, since relinquishing control back to respondent, no vessels have been or are currently berthed in exchange for money and absolutely no space has rented on the water for residential purposes with the exception of the houseboat which is now vacant and up for sale with the understanding that it must be relocated
3	B.4.	Two sunken boats	The two sunken boats referred to are the responsibility of State Lands Commission by Vickie Caldwell's own admission. These two boats appear to have been in the slough for several decades.
		Boat docks located south of the property.	Docks were removed from South end of the slough. Contrary to the notation on Exhibit A5, the boat docks were not placed in the slough by the respondent, nor were they placed there as a disguise for compliance. The docks referred to are the subject of a pending lawsuit against former harbormaster Scott Diamond who used that location as a staging area where he and Vickie Caldwell had arranged for Scott to pickup move the docks to his property under the cover of darkness. The Sheriffs were called and as a result, SLC was notified and Mr. Diamond was instructed to leave the docks but later returned to retrieve them. Exhibit B.

3. Facts or allegations contained in the violation report of which you have no personal knowledge (with specific reference to paragraph number in the violation report).

NO ENTRIES

4. Other facts which may exonerate or mitigate your possible responsibility or otherwise explain your relationship to the possible violation (be as specific as you can; if you have or know of any documents, photographs, maps, letters, or other evidence that you believe are relevant please identify it by name, date, type, and any other identifying information and provide the original or a copy if you can).

Page	Paragraph	Violation(s)	Response
2	A.1.	Placement of boat docks	As shown in Commission's Exhibit 2, boat docks existed prior to the purchase of the property, Most have been removed for safety reasons and only a few have been swapped for the purpose of improvement (See Exhibit C)

3	B.3.	Placement of landing craft, work platform and other structures	The landing craft was removed prior to receipt of the enforcement action. The work platform was said to be used during the repairs of the mothball fleet and has some historical value. It also serves as a viewing platform for observing the pacific flyway and the sanctuary of the slough and has been positioned to actually bring the mothball fleet into view with the use of binoculars. It will be removed if requested by BCDC.
3	B.4.	Placement of structures creating a junkyard like condition (i.e., shipping containers, construction equipment, fuel, water, vegetable oil, propane and styrene storage tanks, tractors, semi-trailers, aircraft fuselage, inoperable vehicles, including trucks, cars recreational trailers, RVs and vessels	I did not spend ¾ million purchasing a property to create junkyard like conditions for myself and family. If I have a junkyard it is because I bought a junkyard. All of the items in question were present when I made my purchase. The trailers and shipping containers stored and still store boat parts and other marina related supplies. Semi-trailers also contain excess marina operating and vessel accessories. These large trailers will serve as the storage containers we need to clear the property. Albeit we are throwing out the majority of the clutter that litters the property, it seems unreasonable for the commission to ask us to dispose of all my personal possessions.
3	B.4.	Placement of other materials such as boating piers, marine equipment, scrap metal debris and appliances	We have been steadily disposing of scrap metal, appliances, piers, etc. Dump and Recycling receipts attached as Exhibit D . Docks on land were removed from the water per State Lands request and are presently being disassembled and disposed of at a substantial cost to Respondent. All lumber shown in photo exhibits are part of these efforts.
3	B.4	2 convaults	Two convaults were present when property was purchased. It is and has been empty for quite some time. Disconnected from any pumps, hoses, nozzles or pipes, they pose no threat to the safety or health of others at this time and will eventually be removed or if ever the slough shall become a place of marine enjoyment, it will be inspected and properly restored
3	B.5.	Construction or reconstruction or alteration of the size of any structure...septic system	The existing septic system has not be used or modified since property was purchased. Out houses have been made available for the disposal of sewage. The structure referred to is a filtered storm water collection cistern. The catch basin captures filtered storm water which is then pumped out and the water is reused on plants, gardens and for dust control. Copy of receipts for materials is attached as Exhibit E

5. Any other information, statement, etc that you want to make,

While I admit culpability in full or in part for a number of the violations listed, I hope the Commission can see that I am not guilty of them all, and a large portion of the problem was inherited when I purchased the property. I would like to point out that the BCDC website says that:

"A number of recreational oriented commercial uses exist in the Marsh. These uses which include Little Honker Bay Resort, Collinsville Resort, *Pierce Harbor*, Suisun Pacific Marina, Port of Suisun Marina and City of Benicia Marina located on the edge of the marsh accessible to the general public. *As the demand for recreation increases there may be a need for more such facilities or expansion of existing facilities.*" (emphasis mine)

It also says:

"The vast open expanse of the Suisun Marsh is the location of many recreational activities. The Marsh is well known for waterfowl hunting in California. In addition, several other forms of recreation, including fishing, upland game hunting, and water sports, are also popular. Nevertheless, *there are opportunities for a greater diversity and amount of public recreation in the Marsh.*"

There have been several attempts to restore Pierce Harbor to an operational resource for public use but all have given up during the permit process. Mr. Greenberg is willing to put energy and resources towards this end. A \$150,000 fine will certainly make such an endeavor impossible for me to continue. How long until another person comes along who interested in doing something with this patch of bare earth?

With this in mind I would respectfully request the Commission to reduce the proposed fine substantially. If this is not palatable to the Commission, perhaps a "suspended" fine and a probationary period allowing me to abate the current problems, apply for a permit for a modest use of interest to the public and an opportunity to return this land to service as a resource for us all. Should I fail to make expedient progress the fines could be reimposed. I thank you for your consideration.

6. Documents, exhibits, declarations under penalty of perjury or other materials that you have attached to this statement to support your answers or that you want to be made part of the administrative record for this enforcement proceeding (please list in chronological order by date, author, title and enclose a copy with the completed form).

10-11	Violation 4	"Placement or erection of structures consisting of (refrigerators, washers/dryers)".	"Placement or erection of structures consisting of(refrigerators, washers/dryers)". This paragraph is duplicated and may appear to its reviewer that respondent has committed twice the amount of infractions. (see Exhibit F)
Photo	Violation 4	"Fill material consisting of shipping containers, RVs, boats...."	"Fill material consisting of shipping containers, RVs, boats...." Another example of duplication, in this instance a photo is used to show fill material. A closer look will show that it is a photo of the same material taken from a different angle. This replication throughout the report creates

EXHIBIT A 1995 Shrader Lease ref ramp repairs.]
 EXHIBIT B Photo of South end of Slough
 EXHIBIT C BCDC Exhibit 2
 EXHIBIT D Recycling, transfer station and scrap metal receipts
 EXHIBIT E GEO Options, Inc, invoice for storm water cistern material
 EXHIBIT F Copy of Duplicate violations
 EXHIBIT G BCDC Literature, Jurisdiction and Authority
 EXHIBIT H Aerial photographs Jan.2019 vs. Oct 20, 2021 (fewer containers after sale)
 EXHIBIT I Picture of clearing of 100 ft shoreline band
 EXHIBIT J Photo of Lumber from demolished docks not stored lumber
 EXHIBIT K Photo of pile of concrete as a result of demolition of cracked RV pads, not for landfill

IMAGE EXHIBITS

IMAGE 1	These boats have been in Goodyear Slough for much longer than Lee Greenberg has owned this property. During an initial walk through with Mike Scully, Vickie Caldwell of State Lands Commission and a BCDC representative, Ms. Caldwell acknowledged that the sunken vessels were the property of the state and that she was responsible for its removal.
IMAGE 2(1)	Three of the four vessels shown in this photo have been taken away by their owners
IMAGE 2(2)	The vessel in this photo has been moved to another location
IMAGE 3(1) IMAGE 3(2) IMAGE 3(3)	Exhibits 3(1)(2)&(3) are the same image taken from different vantage points, yet all three make reference to stored lumber and fill consisting of RVs, boats & shipping containers when in fact you are looking at the same two boats in the background, same

	two RVs in the foreground. THERE IS NO "STORED" LUMBER HERE. THE WOOD AND UNIDENTIFIED OBJECTS ARE THE RESULT OF DEBRIS FROM STRIPPING, CUTTING, STACKING, MOVING, TOSSING AND DUMPING THE UNSAFE DOCKS THAT WERE PULLED OUT OF THE GOODYEAR SLOUGH AS PER STATE LANDS REQUEST. THEY HAD TO BE DISASSEMBLE BEFORE THEY COULD BE HAULED AWAY.
IMAGE 4	THIS IS NOT IMPORTED CONCRETE FOR FILL. THIS IS A PILE OF CONCRETE RUBBLE FROM VARIOUS CRACKED AND BROKEN RV PADS THAT WERE ALREADY HERE.
IMAGE 5	WHEN INSPECTING OUR SEWER AND SEPTIC SYSTEM THE REP advised that the pond was too close to the septic and would have to be filled or lined to meet compliance. We called to inquire about a permit and requested Mr. Farrio to come out. Upon inspection Me. Farrario said we did not need a permit because it was less yards to fill. The excavator in your photograph was in the process of filling the man-made pond.
IMAGE 6(1) IMAGE 6(2)	Images 6(1) & 6(2) Are photographs of our Storm Water Collection Cistern. This is not a system, specifically, NOT A SEPTIC ONE. IT DOES NOT CONTAIN PLUMBING FOR DRAINAGE IN TO OR OUT OF THE GOODYEAR SLOUGH. INSTEAD, IT CATCHES THE WATER IN IT'S BASIN AND IS THEN PUMPED INTO A WATER STORAGE CONTAINER WHICH IS USED TO WATER GARDENS, PLANTS, MINIMIZE SITE DUST & POWER WASH STRUCTURES, etc
IMAGE 6(3) IMAGE 6(4)	Two page Invoice from GEO Option for materials used to make cistern

7. Name of any person whose declaration under penalty of perjury was listed in the violation report as being part of the staff's case who the respondent wants to cross-examine the witness, information that the respondent hopes to elicit in cross-examination, and the reason(s) why some other method of proving this information is unsatisfactory.

THERE IS NO PERSON, STAFF OR MATERIAL WITNESS THAT RESPONDENT WISHES TO CALL FOR TESTIMONY OR CROSS-EXAMINATION AT THIS TIME.

IMAGE 1

5/14/21 by BCDC Staff – Sunk vessels in Goodyear Slough

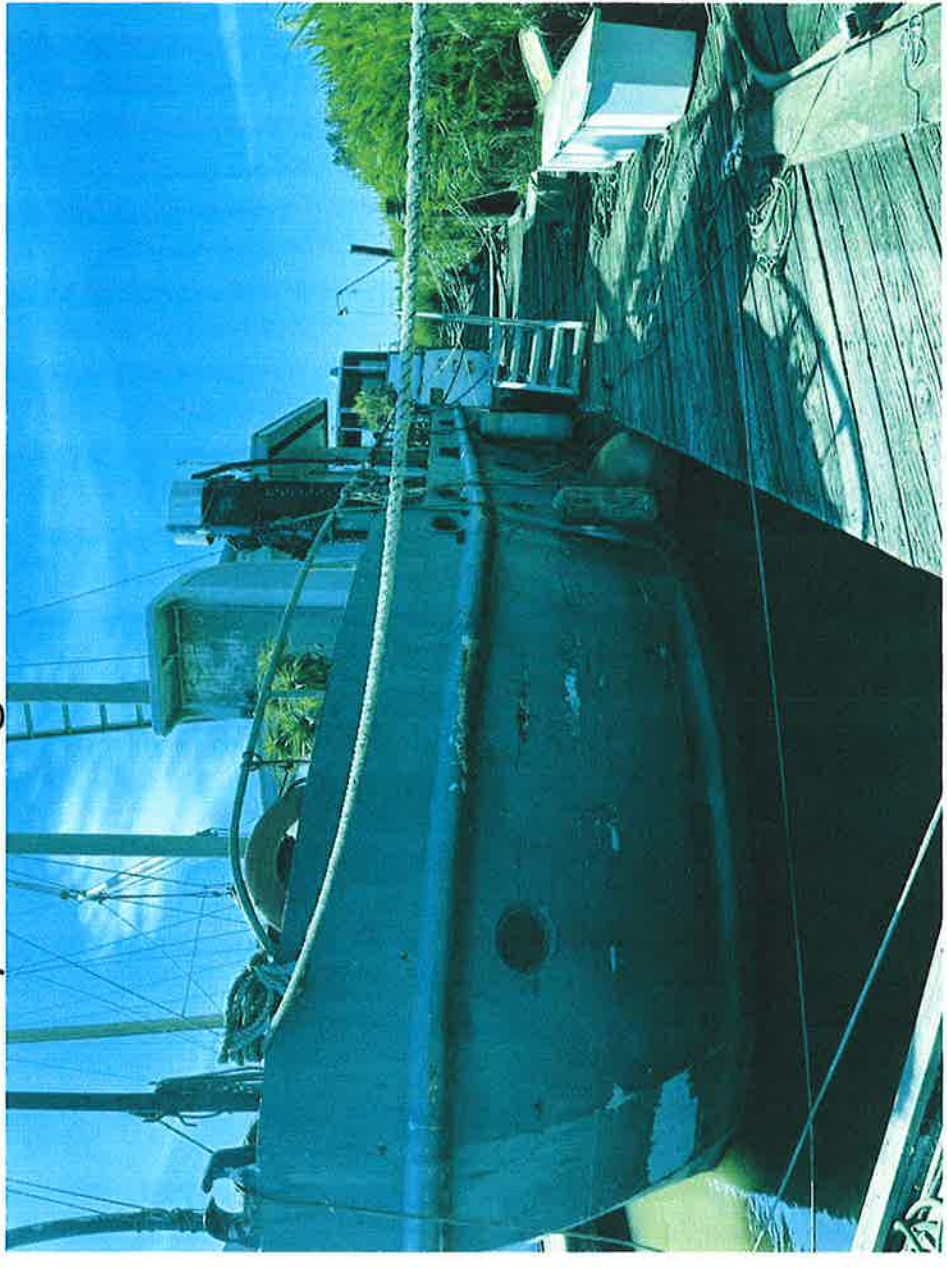


5/14/21 by BCDC Staff- Four vessels possibly used as residences in Goodyear Slough

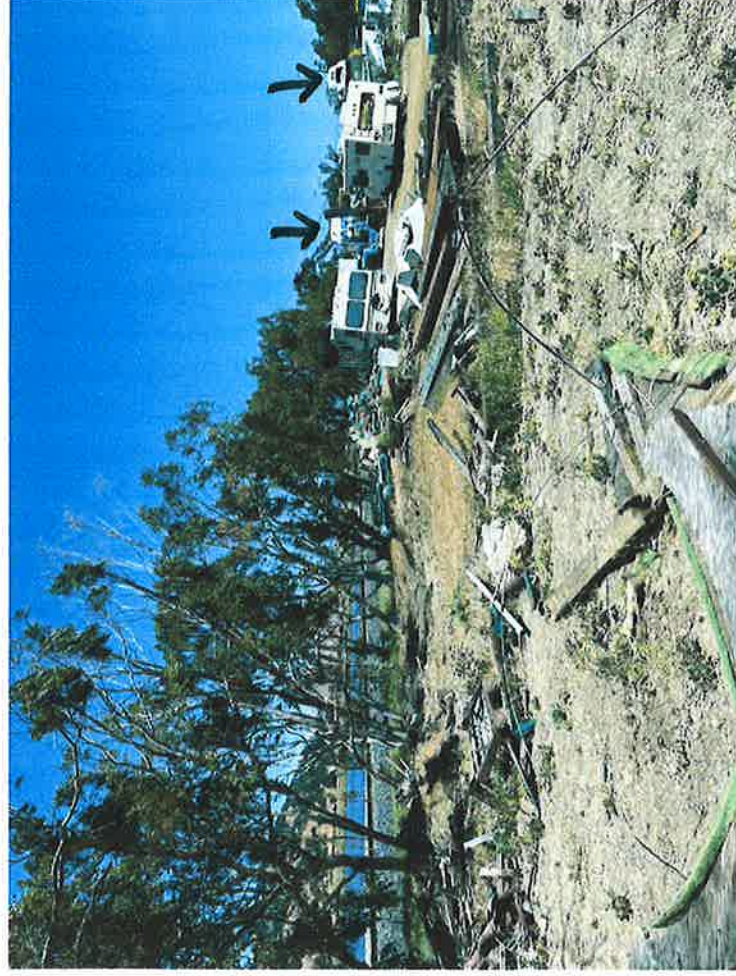


IMAGE 2(2)

5/14/21 by BCDC Staff- Large vessel potentially used as a residence in Goodyear Slough



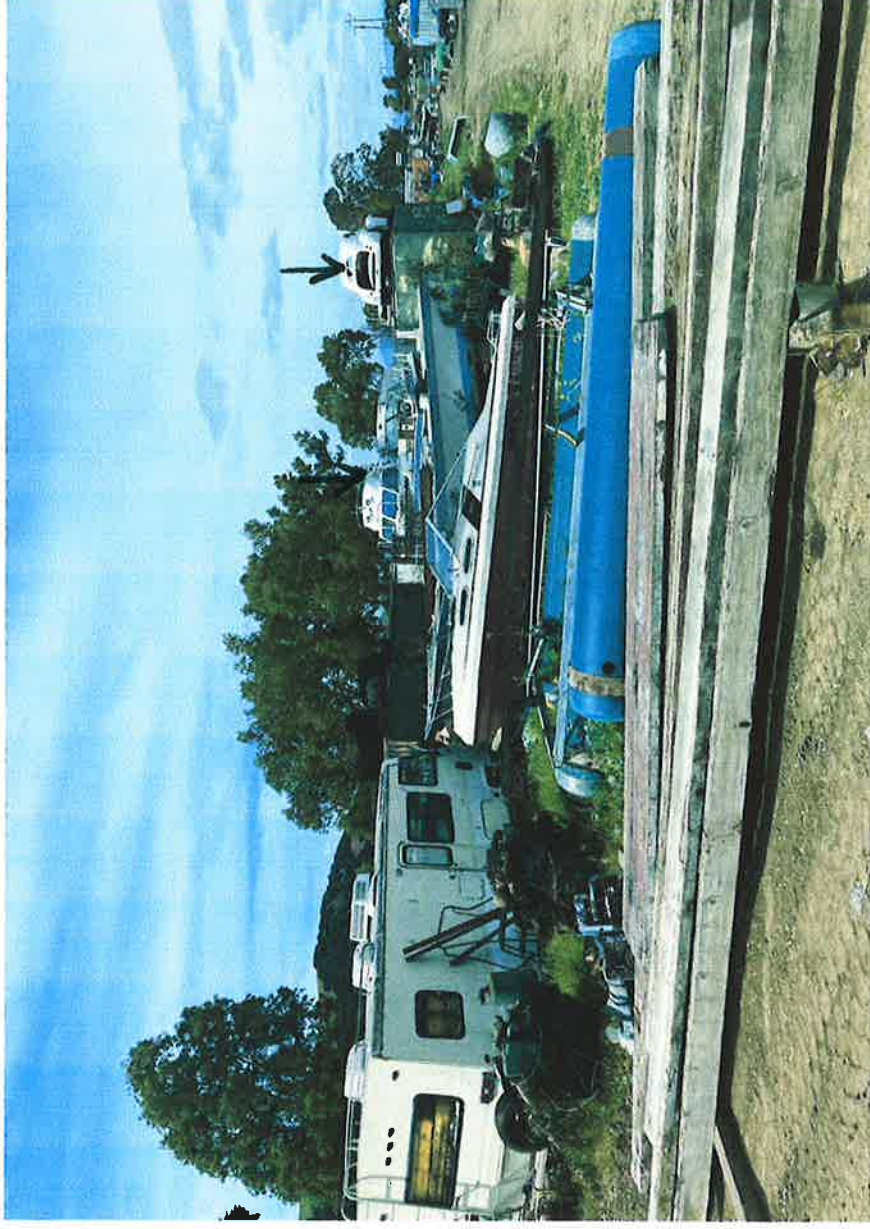
5/14/21 by staff: Fill material placed on APN 0090-230-350. Looking north from southwest end of parcel adjacent to railroad tracks. Notes stored lumber and many RVs.



April, 2022 by Scott Tippet, Solano County. Fill materials consisting of shipping containers, RVs, boats, lumber, cars and other unidentified objects.



April, 2022 by Scott Tippet, Solano County. Fill materials consisting of shipping containers, boats, lumber, cars, trucks, metal pipes and other unidentified objects.



8/27/21 by Staff: Concrete block fill importation on APN 0090-230-350



8/27/21 by Scott Tippet, Solano County. Work in pond by residence on APN 0090-240-010.



IMAGE 661
4, 20/21 by Scott Tippet, Solano County. Construc
materials that appear to be related to the diversic
drain shown in previous image

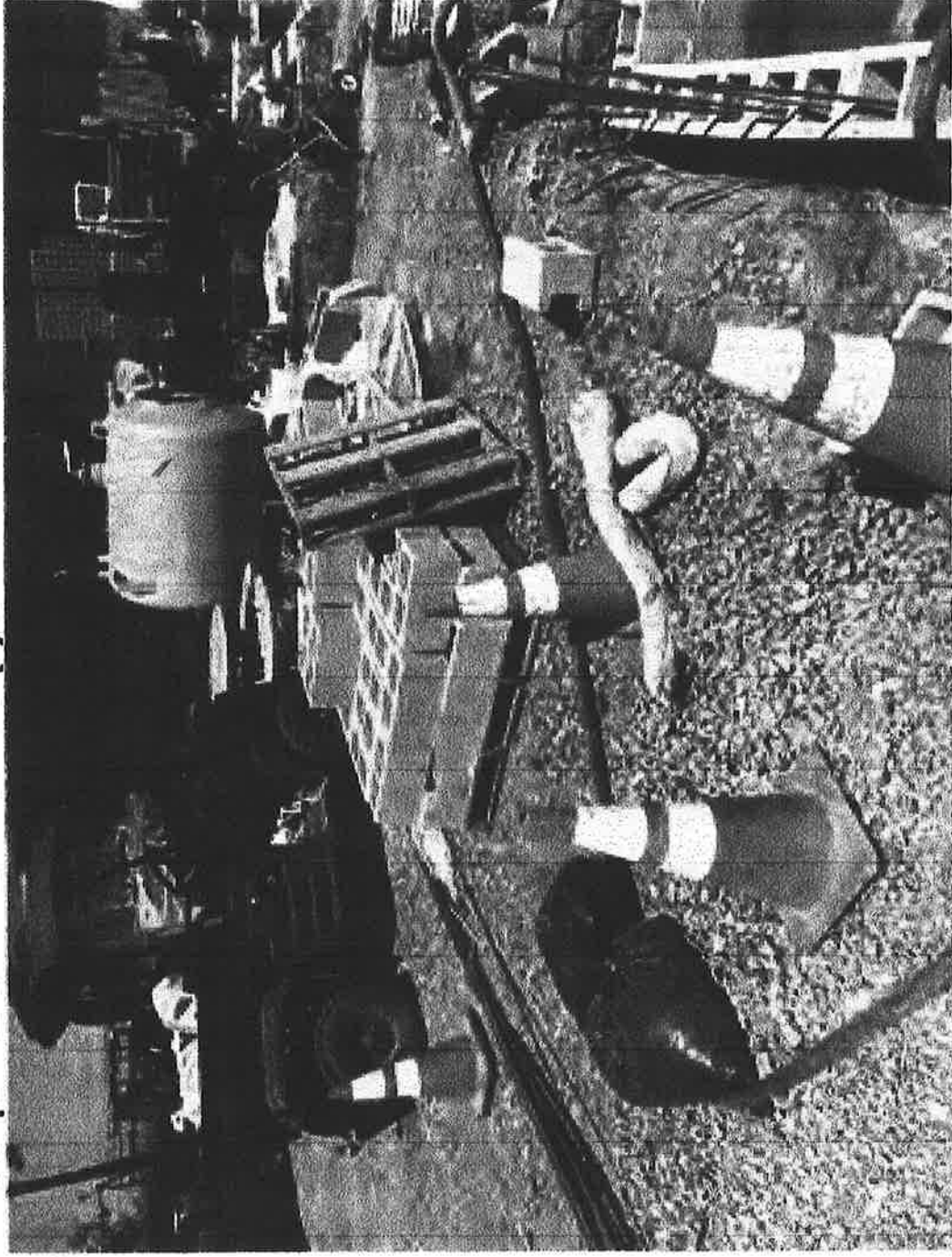


IMAGE 6(2)

4, 20/21 by Scott Tippet, Solano County. Construction c
filtration container and French drain designed to divert
into Goodyear Slough

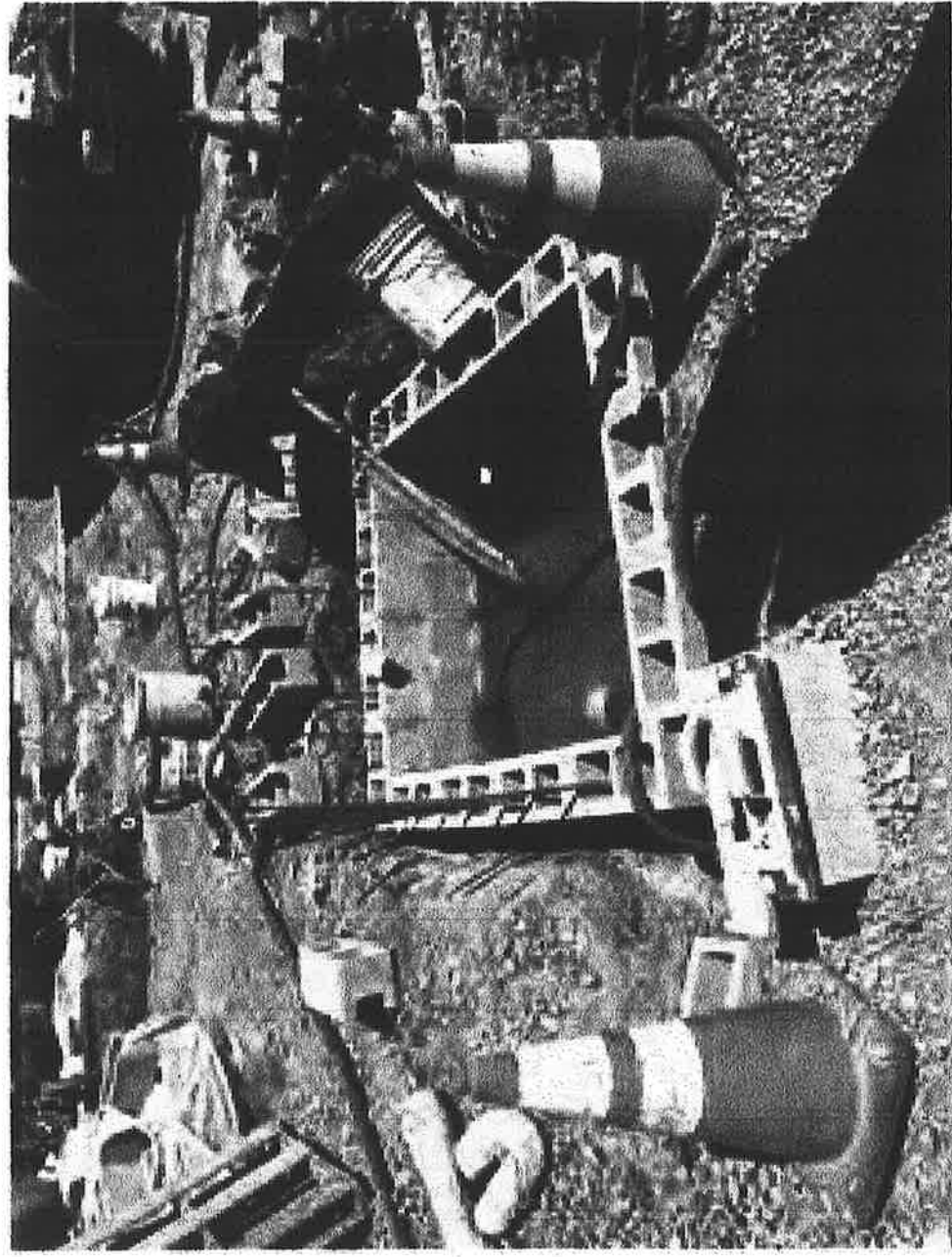


EXHIBIT A

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION50 CALIFORNIA STREET, SUITE 2600
SAN FRANCISCO, CALIFORNIA 94111PHONE: (415) 352-3600
http://www.bcde-ca.gov**RECEIVED**
AUG 07 2002**Exhibit E BCDC Original**SAN FRANCISCO BAY CONSERVATION
& DEVELOPMENT COMMISSION**PERMIT NO. M95-28(M)**(Issued on November 1, 1995, As
Amended Through August 1, 2002)
AMENDMENT NO. ONEJack and Elise Shrader
133 Millthwait Drive
Martinez, California 94553

Dear Mr. and Mrs. Shrader:

I. Authorization

A. Subject to the conditions stated below, the permittees, Jack and Elise Shrader, the Woodward Company, Inc., ~~is~~ are hereby authorized to do the following:

Location: In the primary management area of the Suisun Marsh, at the Pierce Harbor Marina, at the east end of Pierce Road, in an unincorporated area of Solano County.

Description: Repair and improve and an existing marina facility by: (1) expanding existing recreational vehicle (RV) parking and services from 6 to 19 RV trailers; (2) installing a new, 1,650-square-foot (30 feet by 55 feet) boat launch ramp performing the following repairs to the existing, northernmost, boat launch ramp: (a) install a precast, cement slab with no overall increase in Bay fill; (b) fill the approach to the boat launch ramp with gravel to match the existing height of the ramp; and (c) replace, in-kind, existing pilings supporting the ramp (Amendment No. One); (3) initially dredging approximately 1,000 cubic yards to restore boat berth areas to a useable depth (approximately -8 feet NGVD datum) with disposal in the marina parking lot to improve drainage in the parking, and subsequent maintenance dredging of approximately 100 cubic yards annually over a 30 month-period, with disposal outside the Suisun Marsh; (5) (4) constructing a 16,000-square-foot evapotranspiration septic system to replace an existing, failing septic system and to provide for expanded RV use; (6) (5) performing necessary improvements to an existing 1,440-square-foot residential structure to bring it up to code; (7) (6) constructing three dry boat storage buildings, one 2,700 square feet, one 9,390 square feet, and one 1,500 square feet; (8) (7) relocating a bait shop; (9) (8) chip sealing the parking lot; (10) (9) relocating and slightly reducing the size of a 960-square-foot maintenance building; (11) (10) installing various public access improvements, including landscaping and park furniture, in various public access areas totaling approximately 24,130 square feet; (12) (11) importing approximately 8,000 cubic yards of fill material

**EXISTENCE OF A
LAUNCH RAMP**

EXHIBIT B

EXHIBIT B

Former location of stored docks. South end of Goodyear Slough



EXHIBIT C

91 Pierce Lane, Benicia, CA NEW Burning Waters



NEW Burning Waters Jan 2019 <



2019 <



EXHIBIT D

SYSTEM GENERATED

Ticket# 1676518

Manifest

Operator IVANNA PERFECTO

Cust# 27-0000014

CASH CUSTOMER

889A DEVLIN RD

AMERICAN CANYON CA 94503

DEVLIN ROAD RECYCLING

& TRANSFER FACILITY

889 DEVLIN ROAD

AMERICAN CANYON, CA 94503

Date: 5/10/21

In Time: 12:16 PM

Out Time: 12:31 PM

Vehicle ID:

CASH

CASH CUSTOMER

Trailer/Lic#: MARK

Origin: NCAMC AMERICAN CANYON

Comment: SCHRADER

Material	Gross Wgt	Tare Wgt	Net Wgt	Qty	Amount
C&D	A 16160 LB A	14860 LB	1300 LB	.65 TN	47.45

WEIGHMASTER CERTIFICATE

THIS IS TO CERTIFY that the following described commodity was weighed, measured, or counted by a weighmaster, whose signature is on this certificate, who is a recognized authority of accuracy, as prescribed by Chapter 7 (commencing with Section 12700) of Division 5 of the California Business and Professions Code, administered by the Division of Measurement Standards of the California Department of Food and Agriculture.

Total- 47.45

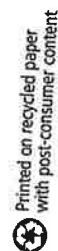
Amount Paid 60.00

Change Due 12.55

Driver Signature

Weighmaster Signature

Weight Codes: M=Manual, T=Stored Tare, A/B = Scale



Printed on recycled paper
with post-consumer content

COPY

SYSTEM GENERATED

Ticket# 1675914

Manifest

Operator IVANNA PERFECTO

Cust# 27-0000014

CASH CUSTOMER

889A DEVLIN RD

AMERICAN CANYON CA 94503

DEVLIN ROAD RECYCLING

& TRANSFER FACILITY

889 DEVLIN ROAD

AMERICAN CANYON, CA 94503

Date: 5/08/21

In Time: 3:58 PM

Out Time: 4:09 PM

Vehicle ID:

CASH

CASH CUSTOMER

Trailer/Lic#: LEE

Origin: NCAMC AMERICAN CANYON

Comment:

Material	Gross Wgt	Tare Wgt	Net Wgt	Qty	Amount
C&D	A 12940 LB A	11680 LB	1260 LB	.63 TN	45.99

Amount

Qty

Net Wgt

Tare Wgt

Gross Wgt

Material

C&D

Payment Info: Credit Card - VISA

Total 45.99

\$45.99

Driver Signature

Weightmaster Signature

Weight Codes: M=Manual, T=Stored Tare, A/B = Scale

Printed on recycled paper
with post-consumer content

COPY



WEIGHMASTER CERTIFICATE

THIS IS TO CERTIFY that the following described commodity was weighed, measured, or counted by a weighmaster, whose signature is on this certificate, who is a recognized authority of accuracy, as prescribed by Chapter 7 (commencing with Section 12700) of Division 5 of the California Business and Professions Code, administered by the Division of Measurement Standards of the California Department of Food and Agriculture.

SYSTEM GENERATED

Ticket# 1695920

Manifest

Operator IVANNA PERFECTO

Cust# 27-0000014

CASH CUSTOMER

889A DEVLIN RD

AMERICAN CANYON CA 94503

DEVLIN ROAD RECYCLING

& TRANSFER FACILITY

889 DEVLIN ROAD

AMERICAN CANYON, CA 94503

Date: 6/17/21

In Time: 11:36 AM

Out Time: 11:47 AM

Vehicle ID:

CASH

Trailer/Lic#: MARK

Origin: NCAMC AMERICAN CANYON

CASH CUSTOMER

Comment: SCHRADER

Material

C&D

Gross Wgt	Tare Wgt	Net Wgt	Qty	Amount
A 14040 LB A	11900 LB	2140 LB	1.07 TN	78.11

17 June 2021
Wood Debris
\$78.11 Cash
Moller

Total -	78.11
Amount Paid	100.00
Change Due	21.89

Driver Signature

Weightmaster Signature

Weight Codes: M=Manual, T=Stored Tare, A/B = Scale

Printed on recycled paper
with post-consumer content



WEIGHMASTER CERTIFICATE

THIS IS TO CERTIFY that the following described commodity was weighed, measured, or counted by a weighmaster, whose signature is on this certificate, who is a recognized authority of accuracy, as prescribed by Chapter 7 (commencing with Section 12700) of Division 5 of the California Business and Professions Code, administered by the Division of Measurement Standards of the California Department of Food and Agriculture.

\$200- Cash For M
\$121.89 Change
COPY

SYSTEM GENERATED

Ticket# 1682759

Manifest

Operator KIM GARCIA

Cust# 27-0000014

CASH CUSTOMER

889A DEVLIN RD

AMERICAN CANYON CA 94503

DEVLIN ROAD RECYCLING

& TRANSFER FACILITY

889 DEVLIN ROAD

AMERICAN CANYON, CA 94503

Date: 5/22/21

In Time: 12:36 PM

Out Time: 12:43 PM

Vehicle ID:

CASH

Trailer/Lic#: SCHRADER

Origin: NCAMC

AMERICAN CANYON

CASH CUSTOMER

Comment:



WEIGHMASTER CERTIFICATE

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Material	Gross Wgt	Tare Wgt	Net Wgt	Qty	Amount
C&D	A 16900 LB B 14880 LB	2020 LB	1.01 TN		73.73

Total- 73.73

Amount Paid 100.00

Change Due 26.27

Driver Signature

Weighmaster Signature

Weight Codes: M=Manual, T=Stored Tare, A/B = Scale

Printed on recycled paper with post-consumer content

COPY

SYSTEM GENERATED

Ticket# 1699183

Manifest

Operator IVANNA PERFECTO

Cust# 27-0000014

CASH CUSTOMER

889A DEVLIN RD

AMERICAN CANYON CA 94503

Comment: TENWINKLE

DEVLIN ROAD RECYCLING

& TRANSFER FACILITY

889 DEVLIN ROAD

AMERICAN CANYON, CA 94503

Date: 6/24/21

In Time: 11:08 AM

Out Time: 11:18 AM

Vehicle ID:

Trailer/Lic#: LOUIS

Origin: NCAMC

AMERICAN CANYON

CASH CUSTOMER

6.24.21

Material	Gross Wgt	Tare Wgt	Net Wgt	Qty	Amount
MSW	A 12700 LB A	11540 LB	1160 LB	.58 TN	42.34

Payment Info: Credit Card - VISA

Total- 42.34

\$42.34

Driver Signature

Weightmaster Signature

Weight Codes: M=Manual, T=Stored Tare, A/B = Scale

Printed on recycled paper
with post-consumer content

COPY



WEIGHMASTER CERTIFICATE

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SYSTEM GENERATED
Ticket# 1698456
Manifest
Operator JORDYN GAINES

DEVLIN ROAD RECYCLING
& TRANSFER FACILITY
889 DEVLIN ROAD
AMERICAN CANYON, CA 94503

Date: 6/23/21
In Time: 8:58 AM
Out Time: 9:07 AM

Cust# 27-0000014
CASH CUSTOMER
889A DEVLIN RD
AMERICAN CANYON CA 94503

Vehicle ID: CASH
Trailer/Lic#: LUIS
Origin: SCFAIR FAIRFIELD
CASH CUSTOMER

Comment: TENWINKLE

Material	Gross Wgt	Tare Wgt	Net Wgt	Qty	Amount
C&D	A 12520 LB A	11400 LB	1120 LB	.56 TN	40.88

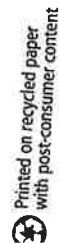
Payment Info: Credit Card - VISA

Total - 40.88
\$40.88

Driver Signature _____

Weightmaster Signature _____

Weight Codes: M=Manual, T=Stored Tare, A/B = Scale



0000



WEIGHMASTER CERTIFICATE

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SYSTEM GENERATED

Ticket# 1697158

Manifest

Operator LIZ GALVIN

Cust# 27-0000014

CASH CUSTOMER

889A DEVLIN RD

AMERICAN CANYON CA 94503

DEVLIN ROAD RECYCLING

& TRANSFER FACILITY

889 DEVLIN ROAD

AMERICAN CANYON, CA 94503

Date: 6/20/21

In Time: 11:07 AM

Out Time: 11:25 AM

Vehicle ID:

CASH

Trailer/Lic#: LUES

Origin: NCAMC AMERICAN CANYON

CASH CUSTOMER

Comment: TENWINKEL



WEIGHMASTER CERTIFICATE

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Material	Gross Wgt	Tare Wgt	Net Wgt	Qty	Amount
C&D	A 12600 LB A	11100 LB	1500 LB	.75 TN	54.75

Total - 54.75

Amount Paid 100.00

Change Due 45.25

Driver Signature _____

Weighmaster Signature _____

Weight Codes: M=Manual, T=Stored Tare, A/B = Scale



COPY

SYSTEM GENERATED

Ticket# 1715302

Manifest

Operator MARIA ALVARADO

Cust# 27-0000014

CASH CUSTOMER

889A DEVLIN RD

AMERICAN CANYON CA 94503

DEVLIN ROAD RECYCLING

& TRANSFER FACILITY

889 DEVLIN ROAD

AMERICAN CANYON, CA 94503

Date: 7/26/21

In Time: 3:13 PM

Out Time: 3:23 PM

Vehicle ID:

CASH

Trailer/Lic#: MARK

Origin: NCAMC AMERICAN CANYON

CASH CUSTOMER

Comment: SHRADER

Material
C&D

Gross Wgt	Tare Wgt	Net Wgt	Qty	Amount
A 13800 LB A	11920 LB	1880 LB	.94 TN	69.56

Marine Clean Up
PD \$ 69.56
Lees VISA 3830
26 July 2021

Payment Info: Credit Card - VISA

Total -

69.56

\$69.56

Driver Signature

Weightmaster Signature

Weight Codes: M=Manual, T=Stored Tare, A/B = Scale

Printed on recycled paper
with post-consumer content

COPY



WEIGHMASTER CERTIFICATE

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SYSTEM GENERATED

Ticket# 1711682

Manifest

Operator JENNIFER ALVIZAR

Cust# 27-0000014

CASH CUSTOMER

889A DEVLIN RD

AMERICAN CANYON CA 94503

DEVLIN ROAD RECYCLING

& TRANSFER FACILITY

889 DEVLIN ROAD

AMERICAN CANYON, CA 94503

Date: 7/19/21

In Time: 3:00 PM

Out Time: 3:10 PM

Vehicle ID:

CASH

Trailer/Lic#: MARK

Origin: NCAMC AMERICAN CANYON

CASH CUSTOMER

Comment: SCHRADER

Material

C&D

Gross Wgt	Tare Wgt	Net Wgt	Qty	Amount
A 13600 LB A	11940 LB	1660 LB	.83 TN	61.42

Garbage \$61.42
19 July 2021
CPD VISA 3830 Lee

Payment Info: Credit Card - VISA

Total -

61.42

\$61.42

Driver Signature

Weightmaster Signature

Weight Codes: M=Manual, T=Stored Tare, A/B = Scale

Printed on recycled paper
with post-consumer content

COPY



WEIGHMASTER CERTIFICATE

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SYSTEM GENERATED
 Ticket# 1706944
 Manifest
 Operator LIZ GALVIN
 Cust# 27-0000014
 CASH CUSTOMER
 889A DEVLIN RD
 AMERICAN CANYON CA 94503
 Comment: TNWINTTEL

DEVLIN ROAD RECYCLING
 & TRANSFER FACILITY
 889 DEVLIN ROAD
 AMERICAN CANYON, CA 94503
 Date: 7/09/21
 In Time: 2:41 PM
 Out Time: 3:00 PM
 Vehicle ID: CASH
 Trailer/Lic#: LUIS
 Origin: SCBEN BENICIA
 CASH CUSTOMER

Material	Gross Wgt	Tare Wgt	Net Wgt	Qty	Amount
MSW	A 12760 LB A	10780 LB	1980 LB	.99 TN	73.26

Payment Info: Credit Card - VISA

Total - 73.26
 \$73.26

Driver Signature _____

Weightmaster Signature _____

Weight Codes: M=Manual, T=Stored Tare, A/B = Scale

Printed on recycled paper
 with post-consumer content

COPY



WEIGHMASTER CERTIFICATE
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SYSTEM GENERATED

Ticket# 1721833

Manifest

Operator JENNIFER ALVIZAR

Cust# 27-0000014

CASH CUSTOMER

889A DEVLIN RD

AMERICAN CANYON CA 94503

DEVLIN ROAD RECYCLING

& TRANSFER FACILITY

889 DEVLIN ROAD

AMERICAN CANYON, CA 94503

Date: 8/08/21

In Time: 12:43 PM

Out Time: 1:09 PM

Vehicle ID:

CASH

Trailer/Lic#: MARK

Origin: NCAMC

AMERICAN CANYON

CASH CUSTOMER

Comment: SCHRADER

Material

C&D

8 Aug 2021

American Canyon

Garbage Debris

RD# 105.82

Gross Wgt	Tare Wgt	Net Wgt	Qty	Amount
A 17740 LB A	14880 LB	2860 LB	1.43 TN	105.82

WEIGHMASTER CERTIFICATE

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Total-	105.82
Amount Paid	106.00
Change Due	00.18

Driver Signature

Weighmaster Signature

Weight Codes: M=Manual, T=Stored Tare, A/B = Scale

Printed on recycled paper with post-consumer content

Annette gave me \$100 -

\$5.82 Marks Expense

Copy

SYSTEM GENERATED

Ticket# 1723421

Manifest

Operator JORDYN GAINES

Cust# 27-0000014

CASH CUSTOMER

889A DEVLIN RD

AMERICAN CANYON CA 94503

DEVLIN ROAD RECYCLING

& TRANSFER FACILITY

889 DEVLIN ROAD

AMERICAN CANYON, CA 94503

Date: 8/11/21

In Time: 1:55 PM

Out Time: 2:09 PM

Vehicle ID:

CASH

CASH CUSTOMER

Trailer/Lic#: MARK

Origin: NCAMC AMERICAN CANYON

Comment: SCHRADER

Material	Gross Wgt	Tare Wgt	Net Wgt	Qty	Amount
C&D	A 21260 LB	A 14840 LB	6420 LB	3.21 TN	237.54

PD \$237.54

Lee CC 3830

11 Aug 2021

Marina Debra

Payment Info: Credit Card - VISA

Total -

237.54

\$237.54

Driver Signature

Weightmaster Signature

Weight Codes: M=Manual, T=Stored Tare, A/B = Scale

Printed on recycled paper
with post-consumer content

COPY



WEIGHMASTER CERTIFICATE

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SYSTEM GENERATED

Ticket# 1723261

Manifest

Operator JORDYN GAINES

Cust# 27-0000014

CASH CUSTOMER

889A DEVLIN RD

AMERICAN CANYON CA 94503

DEVLIN ROAD RECYCLING

& TRANSFER FACILITY

889 DEVLIN ROAD

AMERICAN CANYON, CA 94503

Date: 8/11/21

In Time: 11:04 AM

Out Time: 11:14 AM

Vehicle ID:

CASH

CASH CUSTOMER

Trailer/Lic#: SCHREDER

Origin: NCAMC AMERICAN CANYON

Comment: MARK

Material

MSW

Gross Wgt

A 21520 LB A

14860 LB

Tare Wgt

6660 LB

Net Wgt

6660 LB

Qty

3.33 TON

Amount

246.42

PD \$246.42

License 3830

11 Aug 2021

MS

Marine Debris

Payment Info: Credit Card - VISA

Total-

246.42

\$246.42

Driver Signature

Weightmaster Signature

Weight Codes: M=Manual, T=Stored Tare, A/B = Scale

Printed on recycled paper
with post-consumer content

COPY



WEIGHMASTER CERTIFICATE

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SYSTEM GENERATED
Ticket# 1723509
Manifest
Operator JORDYN GAINES

Cust# 27-0000014
CASH CUSTOMER
889A DEVLIN RD
AMERICAN CANYON CA 94503

Comment: SCHENDER

DEVLIN ROAD RECYCLING
& TRANSFER FACILITY
889 DEVLIN ROAD
AMERICAN CANYON, CA 94503

Date: 8/11/21
In Time: 3:36 PM
Out Time: 3:45 PM

Vehicle ID: CASH
Trailer/Lic#: MARK
Origin: NCAMC AMERICAN CANYON
CASH CUSTOMER

Material	Gross Wgt	Tare Wgt	Net Wgt	Qty	Amount
C&D	A 20600 LB A	14800 LB	5800 LB	2.90 TN	214.60

PD \$214.60
Lee CC 3830
11 Aug 2021
MS

Marine Trebris

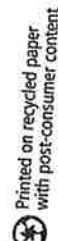
Payment Info: Credit Card - VISA

Total- 214.60
\$214.60

Driver Signature

Weightmaster Signature

Weight Codes: M=Manual, T=Stored Tare, A/B = Scale



COPY



WEIGHMASTER CERTIFICATE

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SYSTEM GENERATED

Ticket# 1728741

Manifest

Operator LIZ GALVIN

Cust# 27-0000014

CASH CUSTOMER

889A DEVLIN RD

AMERICAN CANYON CA 94503

Comment: PEIRSON

DEVLIN ROAD RECYCLING

& TRANSFER FACILITY

889 DEVLIN ROAD

AMERICAN CANYON, CA 94503

Date: 8/22/21

In Time: 10:43 AM

Out Time: 11:38 AM

Vehicle ID:

CASH

Trailer/Lic#: TINWINKLE

Origin: SCBEN BENICIA

CASH CUSTOMER



WEIGHMASTER CERTIFICATE

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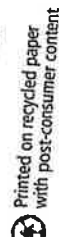
Material	Gross Wgt	Tare Wgt	Net Wgt	QTY	Amount
MSW	A 11580 LB A	10140 LB	1440 LB	.72 TN	53.28

Total- 53.28
Amount Paid 100.00
Change Due 46.72

Driver Signature _____

Weighmaster Signature _____

Weight Codes: M=Manual, T=Stored Tare, A/B = Scale



COPY

SYSTEM GENERATED

Ticket# 1726342

Manifest

Operator JORDYN GAINES

Cust# 27-0000014

CASH CUSTOMER

889A DEVLIN RD

AMERICAN CANYON CA 94503

DEVLIN ROAD RECYCLING

& TRANSFER FACILITY

889 DEVLIN ROAD

AMERICAN CANYON, CA 94503

Date: 8/17/21

In Time: 11:56 AM

Out Time: 12:04 PM

Vehicle ID:

CASH

CASH CUSTOMER

Trailer/Lic#: MARK

Origin: NCAMC AMERICAN CANYON

CA 94503

Comment: SCHRADER



WEIGHMASTER CERTIFICATE

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Material	Gross Wgt	Tare Wgt	Net Wgt	Qty	Amount
Q&D	A 20960 LB A	14860 LB	6100 LB	3.05 TN	225.70

Marina Debris

Total - 225.70

\$225.70

PD
By Phone to
Lee CC

\$225.70

Payment Info: Credit Card - VISA

17 Aug 2021

MS

Driver Signature

Weightmaster Signature

Weight Codes: M=Manual, T=Stored Tare, A/B = Scale

Printed on recycled paper
with post-consumer content

COPY

SYSTEM GENERATED

Ticket# 1725287

Manifest

Operator MARIA ALVARADO

Cust# 27-0000014

CASH CUSTOMER

889A DEVLIN RD

AMERICAN CANYON CA 94503

DEVLIN ROAD RECYCLING
& TRANSFER FACILITY
889 DEVLIN ROAD
AMERICAN CANYON, CA 94503Date: 8/15/21
In Time: 11:14 AM
Out Time: 11:41 AM

Vehicle ID:

CASH

CASH CUSTOMER

Trailer/Lic#: MARK

Origin: NCAMC AMERICAN CANYON

CA 94503

Comment: SHREIDER



WEIGHMASTER CERTIFICATE

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Material	Gross Wgt	Tare Wgt	Net Wgt	Qty	Amount
C&D	A 18700 LB A	14920 LB	3780 LB	1.89 TN	139.86

Merine Debris

Total - 139.86

Amount Paid 200.00

Change Due 60.14

Driver Signature

Weighmaster Signature

Weight Codes: M=Manual, T=Stored Tare, A/B = Scale

Printed on recycled paper
with post-consumer content

COPY

SYSTEM GENERATED

Ticket# 1724504

Manifest

Operator JENNIFER ALVIZAR

Cust# 27-0000014

CASH CUSTOMER

889A DEVLIN RD

AMERICAN CANYON CA 94503

DEVLIN ROAD RECYCLING

& TRANSFER FACILITY

889 DEVLIN ROAD

AMERICAN CANYON, CA 94503

Date: 8/13/21

In Time: 1:30 PM

Out Time: 1:39 PM

Vehicle ID:

CASH

CASH CUSTOMER

Trailer/Lic#: MARK

Origin: NCAMC AMERICAN CANYON

Comment: SCHRADER



WEIGHMASTER CERTIFICATE

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Material	Gross Wgt	Tare Wgt	Net Wgt	QTY	Amount
C&D	A 18500 LB A	14840 LB	3660 LB	1.83 TN	135.42

13 Aug 2021

PA # 12
JAS. 13
\$13.15

Weight Change
Gave me 200 - cash

Total- 135.42
Amount Paid 200.00
Change Due 64.58

Driver Signature

Weighmaster Signature

Weight Codes: M=Manual, T=Stored Tare, A/B = Scale



Printed on recycled paper with post-consumer content

COPY

Exhibit B2



321 AZUAR DRIVE
VALLEJO, CA 94592
PHONE 707-562-1107
FAX 707-562-2531

Material Purchase Ticket

Ticket # 138403

WWW.ALCOMETALS.COM - MAREISLAND@ALCOMETALS.COM

Customer ID - 47668
MARK SCHRADER
3450 PACHECO BLVD UNIT 6
MARTINEZ, CA 94553

Date: 5/10/2021 10:16:56AM
Scale: MI- Truck Scale
Weighmaster Miguel Mendez

Page 1 of 1

Driver's License Number: N9514065
Vehicle Tag:

Item	Gross	Tare	Net	Price	Total
Mixed Steel Scrap	18,900.0 S	13,360.0 S	5,540.0 LB	\$220.000 N/Ton	\$609.40

\$609.40

Check No. 46083

\$609.40

Please Sign Here:
Por Favor Firme Aqui:

\$30.00 CHECK FEE FROM BANK WILL BE APPLIED IF CHECK IS LOST OR NEEDS REPLACEMENT.

WEIGHMASTER CERTIFICATE

THIS IS TO CERTIFY that the following described commodity was weighed, measured, or counted by a weighmaster, whose signature is on this certificate, who is a recognized authority of accuracy, as prescribed by Chapter 7 (commencing with Section 12700) of Division 5 of the California Business and Professions Code, administered by the Division of Measurement Standards of the California Department of Food and Agriculture.

Scale Legend

MI- Truck Scale

Legend - "S" = Scale / Scaled Weight "M" = Manually Entered Weight "A" = Automatic Tare Weight



321 AZUAR DRIVE
VALLEJO, CA 94592
PHONE 707-562-1107
FAX 707-562-2531

Exhibit B1

Material Purchase Ticket

Ticket # 139298

WWW.ALCOMETALS.COM - MAREISLAND@ALCOMETALS.COM

Customer ID - 47668
MARK SCHRADER
3450 PACHECO BLVD UNIT 6
MARTINEZ, CA 94553

Date: 5/22/2021 10:23:45AM
Scale: MI- Truck Scale
Weighmaster Miguel Mendez

Page 1 of 1

Driver's License Number: N9514065
Vehicle Tag: 3Y32865

Item	Gross	Tare	Net	Price	Total
Mixed Steel Scrap	20,300.0 s ¹	13,260.0 s ¹	7,040.0 LB	\$200.00 NTon	\$704.00
					\$704.00
					\$704.00

Check No. 46752

Please Sign Here:
Por Favor Firme Aqui:

\$30.00 CHECK FEE FROM BANK WILL BE APPLIED IF CHECK IS LOST OR NEEDS REPLACEMENT.

WEIGHMASTER CERTIFICATE

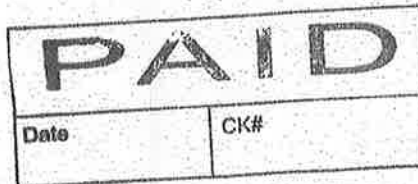
THIS IS TO CERTIFY that the following described commodity was weighed, measured, or counted by a weighmaster, whose signature is on this certificate, who is a recognized authority of accuracy, as prescribed by Chapter 7 (commencing with Section 12700) of Division 5 of the California Business and Professions Code, administered by the Division of Measurement Standards of the California Department of Food and Agriculture.

Scale Legend

¹MI- Truck Scale

Legend - "S" = Scale / Scaled Weight "M" = Manually Entered Weight "A" = Automatic Tare Weight

EXHIBIT E

**IMAGE 6(3)****GEO OPTIONS, INC.****P.O. Box 2982****888 Howe Road****Martinez, CA 94553****Voice:** (925) 335-9220**Fax:** (925) 335-9229**Invoice**

Invoice Number:

93991

Invoice Date:

Dec 17, 2020

Page:

1

Bill To:

Customer

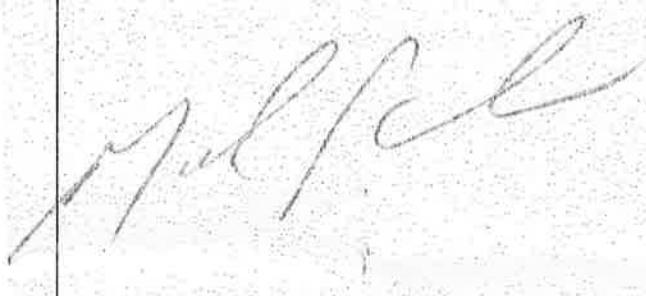
Ship to:

Scott Diamond

Will Call @ Geo Options

Martinez, CA 94553

Customer ID	Customer PO	Payment Terms	
Resident & One Time		C.O.D.	
Sales Rep ID	Shipping Method	Ship Date	Due Date
DR	Will Call	12/17/20	12/17/20

Quantity	U/M	Item	Description	Unit Price	Extension
600.00	SY	66.9024	Mirafi 500X 12.5'x432' 600 sy per roll	0.80	480.00
300.00	LF	88.1108	6" SDR35 - Perforated 20' Length SW BE 520LF per lift	2.75	825.00
3.00	EACH	77.1046	6" DrainEEZ Fabric Pipe Sock 6x100	29.34	88.02
					

Total: 1,521.87

Subtotal	1,393.02
Sales Tax	128.85
Total Invoice Amount	1,521.87
Payment/Credit Applied	0.00
TOTAL	1,521.87

We accept: VISA/MASTERCARD/AMERICAN EXPRESS

ALL SPECIAL ORDERS ARE NON-RETURNABLE. 25% Restocking Fee is applied to all stocking items. Block & paver returns must be full pallet quantities (stocking items only). All stocking items must be returned to Geo Options Yard. \$25.00 returned check fee. All unpaid invoices are subject to a 1-1/2% monthly finance charge after forty-five (45) days. In the event of default, the purchaser shall also pay any legal fees incurred by Geo Options, Inc. for collection of said invoice.

**P.O. Box 2982
888 Howe Road
Martinez, CA 94553**

PAID	
Date	CK#

Page: 1

Ship to:
Scott Diamond
Will Call @ Geo Options
Martinez, CA 94553

Customer ID			Customer PO		Payment Terms		
Resident & One Time					C.O.D.		
Sales Rep ID			Shipping Method		Ship Date	Due Date	
DR			Will Call		1/18/21	1/18/21	
Quantity	U/M	Item	Description			Unit Price	Extension
1.00	EACH	33.6001	B24 Drain Box 20-3/4x19-1/4 12ct per pallet			47.33	47.33
1.00	EACH	33.6025	B24 Extension			45.25	45.25
1.00	EACH	50.0025	Red Hot Purple Primer Low Voc - QUART 12 per case			16.75	16.75
1.00	EACH	50.0024	Red Hot Blue Glue Low Voc - QUART 12 per case			20.53	20.53

Customer Signature x 

Driver	Date	Truck #
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Arrival time _____ Departure time _____

Subtotal	129.86
Sales Tax	12.01
Total Invoice Amount	141.87
Payment/Credit Applied	0.00
TOTAL	141.87

We accept: VISA/MASTERCARD/AMERICAN EXPRESS

ALL SPECIAL ORDERS ARE NON-RETURNABLE. 25% Restocking Fee is applied to all stocking items. Block & paver returns must be full pallet quantities (stocking items only). All stocking items must be returned to Geo Options Yard. \$25.00 returned check fee. All unpaid invoices are subject to a 1-1/2% monthly finance charge after forty-five (45) days. In the event of default, the purchaser shall also pay any legal fees incurred by Geo Options, Inc. for collection of said invoice.

EXHIBIT F

water, vegetable oil, propane and styrene storage tanks, tractors, semi-trailers, aircraft fuselage), inoperable vehicles including trucks, cars, recreational trailers and RVs, and vessels and parts thereof; and other materials such as floating piers, marina equipment, scrap metal debris, appliances (refrigerators, washers/dryers, generators). Placement or erection of structures consisting of placement and use of shipping containers, including for residential use, construction equipment (such as but not limited to fuel, water, vegetable oil, propane and styrene storage tanks, tractors, semi-trailers, aircraft fuselage), inoperable vehicles including trucks, cars, recreational trailers and RVs, and vessels and parts thereof; and other materials such as floating piers, marina equipment, scrap metal debris, appliances (refrigerators, washers/dryers, generators) and the list of hazardous materials outlined above.				
Violation 5. In the shoreline band and PMA:	MPA § 66632(b) SMPA §29500	No fewer than 900	\$1,000	\$30,000

EXHIBIT G

- The Bay itself (all areas that are subject to tidal action, including sloughs, from the south end of the Bay to the Golden Gate to the Sacramento River, as more specifically defined by the Act)
- A shoreline band of land extending inland for 100 feet from the shoreline of the Bay
- Salt ponds (as defined by the Act)
- Managed wetlands (as defined by the Act), and
- Certain waterways consisting of all areas that are subject to tidal action on named tributaries that flow into the Bay, as listed in the Act

BCDC's jurisdiction of the Bay and the certain named waterways extends to the mean high tide line in areas that do not contain tidal marsh and up to five feet above mean sea level in areas of tidal marsh.

The McAteer-Petris Act requires that any person or governmental agency wishing to place fill in, or to extract materials exceeding \$20 in value from, or make any substantial change in use of any land, water, or structure within the area of BCDC's jurisdiction must secure a permit from the Commission (as well as any permit required from any city or county within which any part of the work is to be performed). The Act provides that the Commission shall grant a permit if it finds that the project is either: (1) necessary to the health, safety, or welfare of the public in the entire Bay Area; or (2) consistent with the provision of Act and with the applicable provisions of the [San Francisco Bay Plan](#).

The McAteer-Petris Act establishes a number of policies that must be met to authorize the placement of fill in the Bay and in its "certain waterways" jurisdiction, including:

- The public benefits from the proposed fill clearly exceeds the public detriment from the loss of water areas,
- Further filling should be limited to water-oriented uses (including but not limited to ports, water-related industry, airports, bridges, wildlife refuges, and water oriented recreation and public assembly) or minor fill for improving shoreline appearance or access to the Bay
- Fill should be authorized for any purpose only when no alternative upland location is available for such purpose
- The water area to be filled should be the minimum amount necessary to achieve the purpose of the fill, and
- That the nature, location, and extent of any fill should be such that it will minimize harmful effects to the bay area such as the reduction or impairment of the volume of surface area or circulation of water, water quality, fertility of marshes or fish or wildlife resources or other conditions impacting the environment

The Act authorizes the BCDC to designate in the shoreline band certain water-oriented priority land uses that are essential to the public welfare of the bay area.

For a project within any portion of the shoreline band that is located outside the boundaries of water-oriented priority land uses, the McAteer-Petris Act provides that BCDC can deny a permit only if the proposed project fails to provide the maximum feasible public access to the bay and its shoreline consistent with the proposed project.

The Act exempts certain activities from the need to obtain a BCDC permit including:

- No permit is required for the construction within or upon any public highway or street of public service facilities within the area of the Commission's jurisdiction.
- No permit is required for ongoing uses within the Commission's shoreline band, salt ponds, and managed wetlands jurisdiction, provided that no substantial change may be made in such uses without a permit.

Suisun Marsh Preservation Act

The Fish and Game Code directed the BCDC to prepare the [Suisun Marsh Protection Plan](#). The objectives of the Suisun Marsh Protection Plan are to preserve and enhance the quality and diversity of the Suisun Marsh aquatic and wildlife habitats and to assure retention of upland areas adjacent to the Marsh in uses compatible with its protection. The [Suisun Marsh Preservation Act](#)

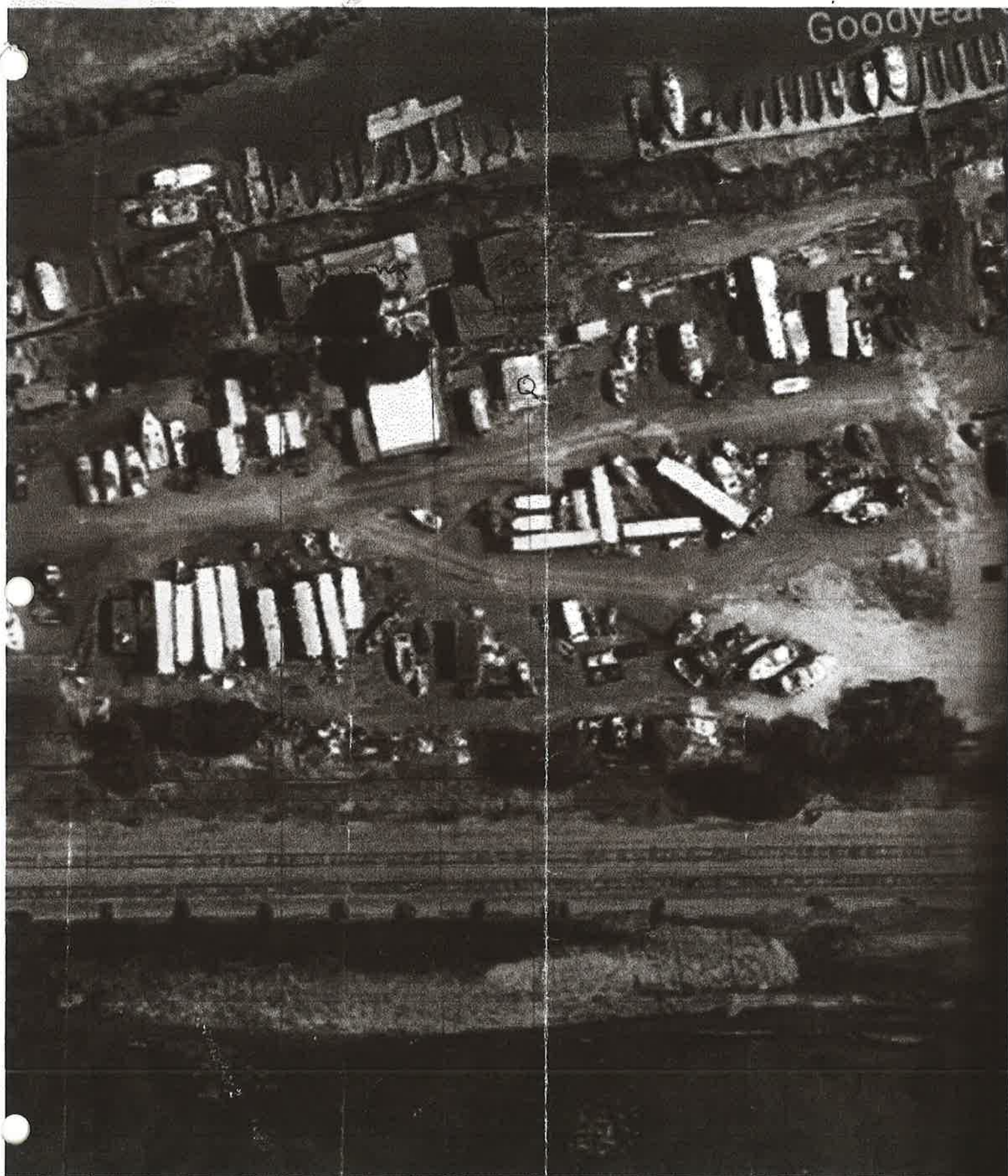
EXHIBIT H

Exhibit A4. Image of 21 Pierce Lane on October 20, 2021, two years and nine months following Mr. Greenberg's purchase and the most recent available Google Earth Aerial image of the site. The number of boat docks and vessels in Goodyear Slough has increased, the landing craft is now present and the house boat remains. The amount of material present on both APNs has increased.



CA

NEW Burning Waters Jan 2019 <



70' 100' 87' 56'

588.00'

H

Goodyear

Google

50

50



100 ft

588.00'

+ 261.63

849.68

7.095 LVA

1.50



EXHIBIT I

EXHIBIT I

Looking south from residence along 100 ft shoreline band, clearing of all listed in the citation,



EXHIBIT J

5/14/21 by staff: Fill material placed on APN 0090-230-; Looking north from southwest end of parcel adjacent to railroad tracks. Notes stored lumber and many RVs.

lumber is not being stored.
lumber is from the
the lumber from the
should be about

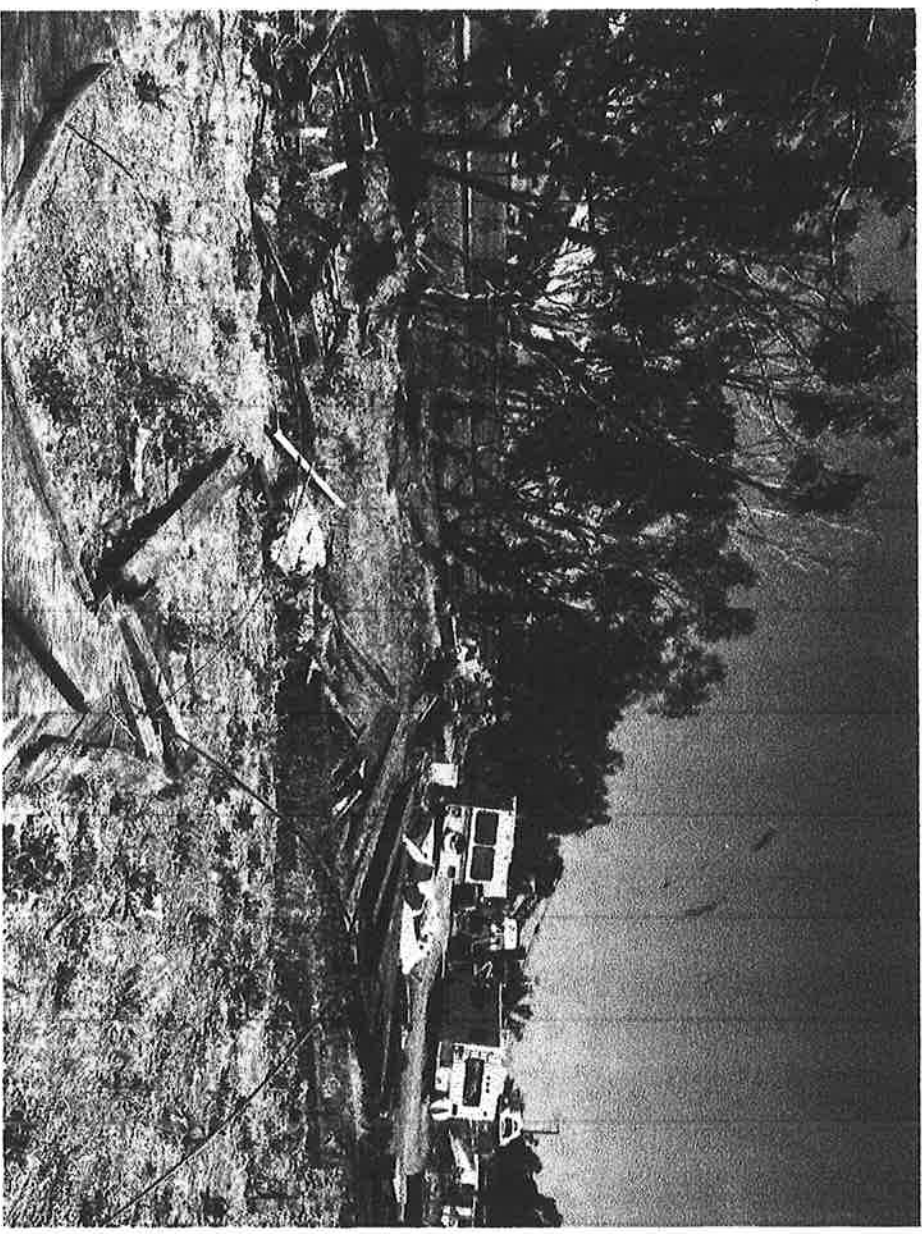


EXHIBIT K

IMAGE 6

8/27/21 by Staff: Concrete block fill
importation on APN 0090-230-350

Concrete pads that
were cracked and broken
concrete blocks were
demolished and placed
in a pile to be taken
to dump. Not imported!

